

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Chul Woo Park, et al.)	Confirmation No.	2186
)		
Serial No.:	10/766,101)	Art Unit:	2841
)		
Filed:	January 28, 2004)	Examiner:	Dinh, Tuan T.
)		
For:	Double Mold Memory Card and Its Manufacturing Method)		
)		

REPLY BRIEF UNDER 37 C.F.R. § 1.193(a)

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir/Madam:

This Reply Brief under 37 C.F.R. § 1.193(a) is filed herewith in triplicate, and is responsive to the Examiner's Answer mailed on July 3, 2008. Appellant has appealed from the final rejection of Claims 1-24 as set forth in the Final Office Action of September 11, 2007. The Claims on Appeal were previously set forth in the Appendix to Applicant's Appeal Brief filed on February 29, 2008.

WAIVER OF ORAL HEARING

As indicated in Appellant's opening Brief, for purposes of the present Appeal, Appellant hereby waives the oral hearing permitted under 37 C.F.R. § 1.194.

ARGUMENT

In response to the Examiner's Answer of July 3, 2008 rendered in relation to the pending Appeal related to the present application, Appellant hereby supplements the argument in support of the patentability of independent Claims 1, 11 and 20-22 as originally presented in the Appeal Brief filed on February 29, 2008 as follows:

The Examiner's Rejection of Independent Claims 1, 11 and 20-22

In the Response to Arguments section of the Examiner's Answer, the Examiner appears to attack the Appellant's characterization of the Osako et al. reference, and in particular the Appellant's argument in support of the patentability of independent Claims 1, 11 and 20-22 by virtue of the sealing portion 8 in the Osako et al. reference not being "exposed" in the IC card 1 described therein. More particularly, the Examiner appears to characterize the first and second encapsulation parts (in the case of Claims 1, 11 and 21) and the mold compound (in the case of Claims 20 and 22) as being satisfied by the sealing portions 3, 8 of the IC body 4 depicted and described in the Osako et al reference. The Examiner also appears to argue that since the case 2 and the IC body 4 are "separated parts," both the sealing portion 8 and the sealing portion 3 are "exposed" in the IC card body 4. Though unclear, the gist of the Examiner's argument appears to be that the sealing portion 8 is "exposed" in a manner satisfying the features Claims 1, 11 and 20-22 since, during the process of fabricating the IC card 1, the sealing portion 8 of the IC body 4 is uncovered until such time as it is mounted into IC case 2 and the formation of the sealing portion 3 is thereafter completed.

Appellant respectfully submits that the Examiner's argument is fundamentally flawed since the exposure of the sealing portion 8 in the IC card 1 shown in Figure 2 of the Osako et al. reference and described therein would necessitate the destruction of such IC card 1. In this regard, the explicit teaching of the Osako et al. reference is that the IC body 4 is formed "integral" with the case 2 by the sealing portion 3, with the outer profile of the IC card 1 being defined almost entirely by the case 2 and sealing portion 3 which are described as being welded at their interface (see Osako et al., column 5, line 66 through column 6, line 4; column 6, lines 16-21). Thus, Applicant respectfully submits that, contrary to the Examiner's argument, there is absolutely no teaching or suggestion in the Osako et al. reference which properly supports the characterization of the sealing portion 8 being "exposed" in the IC card 1.

Also worth noting is the Examiner's argument that the sealing portions 3, 8 are depicted in Figure 2 of the Osako et al. reference as being "completely separated from each other by the substrate (5) of the IC card/memory body (4)." Applicant respectfully submits that this characterization of Figure 2 is inaccurate, since the clear depiction therein is that a

Application No.: 10/766,101
Attorney Docket: AMKOR-100A

portion of the sealing portion 3 directly contacts a portion of the sealing portion 8 in close proximity to the bonding wire 9.

Conclusion

On the basis of the foregoing and the previously submitted Appeal Brief, Appellant respectfully submits that the claims presently on appeal are not anticipated by the Osako et al. reference relied upon by the Examiner. Accordingly, Appellant submits that Claims 1-24 are in condition for allowance.

If any fee is required, please charge Deposit Account Number 19-4330.

Respectfully submitted,

Date: 8/28/09 By:

Customer No.: 007663



Mark B. Garred
Registration No. 34,823
STETINA BRUNDA GARRED & BRUCKER
75 Enterprise, Suite 250
Aliso Viejo, California 92656
Telephone: (949) 855-1246
Fax: (949) 855-6371

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